

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

KENNETH M. GRAY, JR.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:22-cv-542-HEH
)	
WESTERN TIDEWATER)	
REGIONAL JAIL,)	
)	
Defendant.)	

**MEMORANDUM OPINION
(Dismissing Action Without Prejudice)**

By Memorandum Order entered on December 13, 2022, the Court directed Plaintiff to pay an initial partial filing fee of \$0.17 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within thirty (30) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Final Order shall accompany this Memorandum Opinion.



/s/

Henry E. Hudson
Senior United States District Judge

Date: Feb. 6, 2023
Richmond, Virginia